

FOURTH DAY

(Continued)

(Tuesday, January 20, 1959)

After Recess

The Senate met at 11:15 o'clock a.m. and was called to order by Senator Hardeman.

Message from the House

Hall of the House of Representatives
Austin, Texas,
January 20, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 3, Providing for Joint Session.

S. C. R. No. 4, Calling for a Joint Session of the Senate and the House of Representatives at 11:00 a.m., January 21, 1959, and inviting the Governor of Texas to address the Joint Session.

S. C. R. No. 2, Providing for adjournment sine die on Tuesday, May 12, 1959.

H. C. R. No. 5, Providing for the expenses of the inauguration to be paid out of the Contingent Expense Fund of the Fifty-sixth Legislature.

H. C. R. No. 4, Giving the Inaugural Committee authority to make arrangements for the inauguration.

H. B. No. 1. A bill to be entitled "An Act to create a Legislative Expense Fund; to provide for the expenses of the 56th Legislature by amending the Act creating the Operator's and Chauffeur's License Fund so as to broaden its purpose and to transfer Six Hundred Thousand (\$600,000.00) Dollars therefrom to the Legislative Expense Fund, and to amend the Act creating the Disabled Assistance Fund so as to transfer idle and unexpended balances in such fund into the Legislative Expense Fund; to transfer the unobligated balances in prior appropriations for the expenses of the 55th Legislature into the Legislative Expense Fund; to appropriate all moneys in the Legislative Expense Fund for the expenses

of the 56th Legislature; providing a separability clause and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Resolution 11

Senator Bradshaw offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Mr. and Mrs. Barney Bradshaw of Lufkin, Texas; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

**DIES
BRADSHAW**

The resolution was read and was adopted.

Senator Dies by unanimous consent presented Mr. and Mrs. Bradshaw to the Members of the Senate.

Presentation of Guests

Senator Weinert by unanimous consent presented the Honorable Tom Holbrook, former Senator from Galveston, as a guest of the Senate.

Senator Willis by unanimous consent presented Mr. and Mrs. Elmer Hunt of Fort Worth to the Members of the Senate.

Motion to Adjourn

On motion of Senator Weinert, the Senate agreed to adjourn at the conclusion of the Joint Session to inaugurate the Governor and Lieutenant Governor until 10:30 o'clock a.m. tomorrow.

Announcement

The Presiding Officer at 11:25 o'clock a.m. announced the time had arrived for the Members, families and guests to proceed to the south entrance of the Capitol Building for the Joint Session for the inauguration of the Governor and Lieutenant Governor.

Joint Session

(To inaugurate the Governor and Lieutenant Governor.)

The Senate met at 12:00 o'clock noon in Joint Session with the House of Representatives in the space reserved for the Legislature adjacent to the platform erected at the south entrance of the Capitol for the inauguration of the Governor and the Lieutenant Governor.

Governor and Mrs. Price Daniel, Price Daniel, Jr., Jean Daniel, Houston Daniel, John Daniel, Miss Ellen Virginia Daniel, Mr. and Mrs. Bill Daniel, Will Daniel, Ann Daniel, Sue Daniel, Dani Daniel, and Lieutenant Governor and Mrs. Ben Ramsey, Rita Ramsey, Ann Ramsey, Mr. and Mrs. C. S. Ramsey, Mr. and Mrs. Geo. Ramsey, Mr. L. B. Mitchell, Mrs. Roland Bigley, Mr. R. A. Hankla, R. A. Hankla, Jr., Mr. and Mrs. E. D. Henry, Kay Henry, Mr. H. C. Hankla and Mrs. C. W. Carr, Chief Justice John E. Hickman, Reverend Marvin Vance and Reverend Madison Scott and other officials and guests of the inaugural party were escorted to seats on the platform by Senators Herring, Hudson, Martin, Colson and Roberts on the part of the Senate, and Representatives Blanchard, Kennard, Winfree, Isaacks and Cannon on the part of the House.

The Honorable Waggoner Carr, Speaker of the House, announced the purpose of the Joint Session.

The President Pro Tempore called the Senate to order and announced a quorum of the Senate present.

The Speaker then called the House of Representatives to order and announced a quorum of the House present.

Dr. Marvin Vance, Pastor of the First Methodist Church of Austin, delivered the invocation.

Speaker Carr announced that the Constitutional Oath of Office would be administered to Lieutenant Governor Ben Ramsey by Chief Justice John E. Hickman of the Supreme Court.

Honorable Ben Ramsey then took the Constitutional Oath of Office and affixed thereto his signature, the oath

being administered and the signature attested by Chief Justice John E. Hickman of the Supreme Court.

Honorable George Parkhouse, President Pro Tempore of the Senate, then presented the Honorable Ben Ramsey, Lieutenant Governor of Texas, who addressed the Joint Session as follows:

My Fellow Texans:

For me, and for my family, this is a memorable occasion, a re-dedication to the ideals of democracy.

It is a rare privilege to have again taken—for a fifth consecutive term—the oath as your Lieutenant Governor. I humbly consecrate my continued service to the satisfaction of your just expectations.

In my announcement for re-election, I counseled you regarding our government. I said that the coming years would be crucial, that this legislative session would call for experienced, calm, unhurried judgment.

There has been much speculation as to our course. Sometimes the discussion hinges upon the amount of money we will have to raise. At other times the question is how long it will take to raise this money, or from whom.

The hard, cold facts of the balance sheet must be recognized, of course. Money is a problem of this Legislature. It always is.

But I submit to you, my fellow citizens, that the sole question of this session is not, or should not be, the question of which unfortunate taxpayer we are going to catch and string up by the heels and shake until enough money rolls out to give everyone everything he wants.

In the first place, there are important questions of policy and management to consider which do not bear directly upon spending.

Secondly, I refuse to admit that the success of a legislative session, or of an administration, depends solely upon the amount of money it can spend.

And finally, when we are looking around for the fellow who is going to pay the bill—let us have the courage and good sense to look at ourselves.

For we—you and I, the people of Texas—sooner or later, in one way or another, must face up to the fact that we have to pay our share of the check.

In my opinion, a tax program should accompany each request for new or additional state services. The

advocates should bear a fair share of the cost.

From long experience, I know the people of Texas will support sound essential projects for the betterment of our state. Our job is to separate the essential from the non-essential. This can be done by requiring a two-thirds vote of the membership of the Legislature on all tax bills.

The fundamental question is, not where can we get all the money we want—but rather, how much can we afford to spend? And I am firmly convinced that you, at home, know better what you can afford to pay in taxes than does anyone else.

We must remember that the more the government spends for us, the less we have to spend for ourselves.

It is the responsibility of this Legislature to pass finally upon these interesting questions of WHO, WHAT, WHEN, WHERE and HOW.

To these tests of taxing and spending, I hope we will add another question: WHY?

If the answer to that question is not adequate, I hope and believe we will have the courage to do our duty. And that duty includes the stern responsibility of protecting the people's earnings, as well as the popular business of spending.

To every spending bill, large or small, we must apply this two-fold yardstick: Can we afford it? Can we afford to do without it?

The cause of good government does not rest alone on finances. There are many responsibilities. One problem, I mention here, must not be pushed aside or postponed. The small loan business must be cleaned up. We must oust loan sharks who prey upon the small money borrowers.

You who are gathered here and those of you at home share with us—your elected servants—the responsibility for the kind of government we will have in Texas. We will need your wisdom . . . your encouragement . . . and your prayers.

Let me urge each member of the Legislature, every state official and every citizen to weigh carefully each piece of legislation considered or recommended.

To the preservation of the principles and privileges of our freedom, my fellow citizens, I rededicate my humble services as your Lieutenant Governor.

Under the providence of God, may we go forward together.

Speaker Carr announced that the Constitutional Oath would next be administered to Governor Price Daniel by Chief Justice John E. Hickman of the Supreme Court.

Honorable Price Daniel then took the Constitutional Oath of Office and affixed thereto his signature, the oath being administered and the signature attested by Chief Justice John E. Hickman of the Supreme Court.

Speaker Carr then presented His Excellency, the Honorable Price Daniel, Governor of the State of Texas, who delivered the following address:

It is with sincere gratitude and deep humility that I again accept the public trust and sacred duty bestowed upon me by the people of Texas.

Twice the people have given me this, the greatest honor and highest responsibility at their command. I express to all the people of Texas my heartfelt appreciation, and my special thanks go to all my family, friends, and associates who have made this possible. With God's help I will do my best to be worthy of your confidence and trust.

I thank all of you who are present for this occasion, especially the distinguished representatives of all four of the adjoining States of the Republic of Mexico, as well as the special representative of our Ambassador to Mexico and representatives of other countries of the free world. We welcome you to Texas and appreciate your joining with us in another demonstration of the friendship and good will which exists between our people and your people. May our ties be strengthened and our efforts ever united for the type of understanding and good will which brings peace and happiness to mankind.

It is ever significant to me that the official oath which I have just taken ends with the words, "So help me God." As stated in my first inaugural message, I shall take seriously this plea for Divine Guidance with which I have sealed my pledge to "preserve, protect, and defend" both the Constitution and laws of the United States and the Constitution and laws of the State of Texas. I shall uphold and defend the Constitutions of our dual sovereignties in all of their parts, but as pledged two years ago, I shall continue to emphasize and fight for those neglected portions of

both State and Federal Constitutions which recognize that "powers not delegated to the United States by constitution . . . are reserved to the states . . . or to the people."

As Governor, I pledge you to keep the Lone Star of Texas in the forefront of the constant battle to preserve the property and rights of State and local governments. Already there has been too much centralization of power and money in Federal bureaus far away from observation and control of the people.

The real strength of America lies not in Washington nor in centralized power, military might, or missiles to the moon. The enduring power of this country lies in the faith and strength of our people and in the strength of our States and our local units of self-government.

I shall continue to fight with all vigor against further encroachments by the Federal government upon the rights of our State and our people, but to be successful we must properly discharge the State responsibilities which accompany these rights. We must have as much talk and action on State responsibilities as we have on State rights. This has been my philosophy since I entered public service as a member of the House twenty years ago, and it shall be my guiding principle throughout this administration.

The State government is faced today with many challenges—in finances, in law enforcement, in maintaining the integrity of public office, and in building for the future of the greatest State in the Union. However, I have looked through the pages of history and have found, especially from the messages of the Presidents of the Republic of Texas and the Governors of our State, that no chief executive has taken this oath of office in a time free of stresses and crises. In many instances, they were stated to be the "greatest emergency" or the "worst financial crisis" the State has ever known.

Perhaps the most urgent was Governor Sam Houston's report in his message to the Legislature in 1861 that "not a dollar has been in his command for months," and his warning that Comanche Indians were threatening within 50 miles of the Capitol building. Some of the finest chapters in Texas history were written by Governors and Legislatures which faced and met problems and challenges that demanded the full

measure of public service and leadership. The Texas we know today was built by men and women with the courage to overcome hardships and fight for their convictions.

Two years ago on inauguration day, we faced our full share of crises in Texas. We had been through seven years of drought, and we were in dire need of state-wide water conservation and planning. There were critical problems of restoring more public confidence in the State government. We needed improvements in law enforcement and a program to stop the slaughter on our streets and highways. Our public schools and institutions of higher learning needed more resources to keep pace with the demands of the times.

Your Governor and the 55th Legislature struggled to solve these problems through the regular session and two called sessions. At times some of them seemed insurmountable, but the record shows final enactments in whole or in substance of all the 52 recommendations which I made to the Legislature.

For the first time in our history, we now have a State-wide water and soil conservation program and the facilities to plan for present and future development. We enacted a lobby registration bill, a code of conduct for State officials and an insurance reorganization bill. We took broad steps to fight crime and to improve law enforcement in our State. A Law Enforcement Study Commission has just delivered its recommendations for further improvements. We provided much-needed salary increases for school teachers and college faculties and took measures to maintain local control and operation of our public schools.

We have the biggest highway construction program in the history of the State. Equally important is the new State-wide highway safety program which has helped to save at least 200 lives by reducing our traffic fatalities last year more than any other State. This program involves the lives of human beings needlessly slaughtered on our streets and highways, and I am as proud of it as any accomplishment of this administration.

We put into operation a program to attract new industries through the State Industrial Commission; established the Texas Youth Council and a system of paid parole supervision for adult parolees; increased

old-age pensions; provided for higher workmen's compensation benefits; and laid the groundwork for a revision of the State Constitution.

Because the last Legislature enacted this extensive program for progress and good government, the 56th Legislature will not face anything like this number of major legislative proposals. Our task this year will be to make further improvements in the programs already enacted and to provide finances for commitments already made. This task, of course, is equally as important and more difficult than the origination of the programs in the first instance.

Yes, every Governor and every Legislature have problems of the day which appear greater than those of yesterday. However, seldom has any administration faced a brighter future for the State and its people. Our population is growing at a rate much faster than the national average. Nearly 100,000 school children enter our schools each year. Personal income and bank deposits are at an all-time high. New industries are flocking to Texas. The drought is ended and farmers and ranchers are enjoying better times; corporation income is up and employment continues to grow. And Texas is still the biggest State in the Union, without a glacier.

All of this phenomenal growth plus the corresponding increase in the cost of governmental services has contributed to the anticipated deficit and the need for more State revenues for the next biennium.

In this situation I shall recommend to the Legislature tomorrow that we place first and foremost the retirement of the anticipated deficit before the end of the fiscal year, and I shall submit this as an emergency matter. Secondly, I shall propose means for providing new revenues for the next biennium with an annual new tax bill smaller than the last one enacted in 1955.

Finally, I shall propose that we enact measures which will give greater respect to the General Fund and the "pay-as-you-go" amendment so as to keep our budget balanced as intended by the Constitution.

This third proposal includes the need for a complete study and reorganization of the State's administrative and fiscal policies.

Texas today has over 175 separate departments, agencies, and boards,

and many of them have overlapping functions.

We have 213 separate funds in the State Treasury and 30 separate funds deposited in banks without ever entering the Treasury. There is a need for certain special and permanent trust funds such as our Public School, University, and other constitutional funds, but I am positive that more efficiency and economy can be obtained by eliminating and combining many of the separate State agencies and special funds.

There is something wrong with a system that allows its housekeeping fund, the General Fund, to receive nothing but the crumbs left over after statutory transfers are made to other funds, most of which remain in excellent condition. Every bank in Texas would have a cash deficit if it had to keep each depositor's money in a separate safety deposit box rather than merely have it credited for withdrawal when called for.

So, it shall be the aim of this administration not only to balance the budget this year and provide for the needs of the next biennium, but also to maintain the pay-as-you-go program intended by our Constitution and lay the groundwork for a permanent and more efficient reorganization of State government and revision of our fiscal procedures.

To you, Mr. Lieutenant Governor, Mr. Speaker, and members of the Legislature, I pledge my cooperation, and I earnestly solicit the cooperation, counsel, and prayers of all the people of Texas.

In the same manner that I closed my first inaugural message, I pray that, with humility and courage, we may act boldly and wisely, knowing that there is a Hand above which will help us on. May He who guides the destiny of nations as well as the destiny of men be with us in our endeavors.

Governor Daniel presented as guests General Raul Madero, the Governor of Coahuila, Mexico, and Honorable Teofilo Borunda, the Governor of Chihuahua, Mexico, to the Joint Session.

The Speaker presented Representative Eligio de la Garza who presented the following distinguished guests from the Republic of Mexico:

General Raul Madero, Governor of Coahuila, and party of four; Hon. Teofilo Borunda, Governor of Chihuahua.

hua; Mayor René Mascarenas, City of Juarez; Joe Rector, Chihuahua; Tom Mayfield, Chihuahua; Luis Ramos, Chihuahua; Alberto Ruiz Vazquez, Chihuahua; John Stockmeyer, Chihuahua; Dr. Carlos Miranda Garzon, Chihuahua; Jaimie Berrudez, Chihuahua; Hon. Emilio Villarreal Guerra, representing Dr. Norberto Trevino Zapata, Governor of Tamaulipas, and party of two; Mr. and Mrs. Raymond S. H. Hoo, Consul of China; Mr. and Mrs. Rafael Linares, Mexican Consul in Austin.

Mr. de la Garga also presented Mr. and Mrs. Glen Garrett and Mr. and Mrs. Manley Head of the Good Neighbor Commission.

The Speaker then presented former Governor Allan Shivers and Mrs. Shivers and Mrs. Moody, the wife of former Governor Dan Moody, to the Joint Session.

Dr. Madison Scott, Pastor of the First Baptist Church of Austin, delivered the benediction.

The band of Baylor University played "The Eyes of Texas."

Adjournment

The President Pro Tempore announced the purpose of the Joint Session concluded and declared the Senate at 12:40 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow in accordance with a motion previously adopted in the Senate.

FIFTH DAY

(Wednesday, January 21, 1959)

The Senate met at 10:30 o'clock p.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Krueger
Baker	Lane
Bradshaw	Martin
Colson	Moffett
Crump	Moore
Dies	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith

Weinert
Willis

Wood

Absent—Excused

Hazlewood Owen

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence

Senator Owen was granted leave of absence for today and the remainder of the week on account of important business on motion of Senator Roberts.

Senator Hazlewood was granted leave of absence for today on account of important business on motion of Senator Baker.

Committee to Escort Governor to Joint Session

The President announced the appointment of the following committee pursuant to the provisions of S. C. R. No. 4 to escort the Honorable Price Daniel to the Joint Session: Senators Martin, Aikin, Moffett, Rogers and Secrest.

Temporary Committee on Governor's Nominations

The President announced the appointment of the following Temporary Committee on Governor's nominations: Senators Martin, Smith and Moffett.

Message from the Governor

The following message received from the Governor today was read and was referred to the Temporary Committee on Governor's Nominations:

Austin, Texas,
January 21, 1959.

To the Senate of the Fifty-sixth Legislature: it\

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be Secretary of State: Zollie C. Steakley of Austin, Travis County.

Respectfully submitted,

PRICE DANIEL,
Governor of Texas.